

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION (CLEVELAND)**

CHRISTOPHER LOWRY,	)	CASE NO. 4:12-cv-00816
	)	
Plaintiff,	)	JUDGE BENITA Y. PEARSON
	)	
vs.	)	MAGISTRATE GEORGE J. LIMBERT
	)	
JPMORGAN CHASE BANK, N.A.,	)	<b>DEFENDANT JPMORGAN CHASE</b>
	)	<b>BANK, N.A.’S MOTION TO STAY</b>
Defendants.	)	<b>MOTION TO CERTIFY PENDING</b>
	)	<b>RULING ON ARBITRATION</b>
	)	

Defendant JPMorgan Chase Bank, N.A. (“Chase”) hereby requests a stay of Plaintiff’s Motion for Certification of a Class (the “Motion to Certify”) (Doc. No. 9) pending a ruling on Chase’s Motion to Compel Arbitration, Stay Court Proceedings and Dismiss Class Claims (the “Motion to Compel Arbitration”).

Chase filed its Motion to Compel Arbitration on May 30, 2012. Plaintiff filed his response in Opposition on June 1, and on the same day filed his Motion to Certify. If Chase’s Motion to Compel Arbitration is granted in its entirety, Plaintiff’s class claims will be dismissed and his Motion to Certify will be moot. The Court should stay Plaintiff’s Motion to Certify until the Court

rules on the Motion to Compel Arbitration, and set a briefing schedule on the Motion to Certify if necessary. A proposed Order is attached for the Court's convenience

Respectfully submitted,

/s/ James S. Wertheim

James S. Wertheim (0029464)

Maria Candace Burnette (0088507)

**McGlinchey Stafford PLLC**

25550 Chagrin Boulevard, Suite 406

Cleveland, OH 44122-4640

Phone: (216) 378-9905

Fax: (216) 378-9910

[jwertheim@mcglinchey.com](mailto:jwertheim@mcglinchey.com)

[cburnette@mcglinchey.com](mailto:cburnette@mcglinchey.com)

*Counsel for Defendant*

*JPMorgan Chase Bank, N.A.*

**CERTIFICATE OF SERVICE**

A copy of the foregoing *Defendant JPMorgan Chase Bank, N.A.'s Motion to Stay Motion to Certify Pending Ruling on Arbitration* was filed on June 8, 2012. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ James S. Wertheim

James S. Wertheim

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